

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Mar 26, 2018**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

RIVER CITY MEDIA, LLC, a Wyoming  
limited liability company, MARK  
FERRIS, an individual, MATT FERRIS,  
an individual, and AMBER PAUL, an  
individual,  
Plaintiffs,  
v.

KROMTECH ALLIANCE  
CORPORATION, a German corporation,  
CHRIS VICKERY, an individual, CXO  
MEDIA, INC., a Massachusetts  
corporation, INTERNATIONAL DATA  
GROUP, INC., a Massachusetts  
corporation, and STEVE RAGAN, an  
individual, and DOES 1-50,  
Defendants.

NO. 2:17-cv-00105-SAB

**ORDER DENYING  
DEFENDANT CXO'S MOTION  
TO MODIFY**

Before the Court are Defendant CXO Media, Inc.'s Motion to Modify in  
Part Order on Motion to Compel Based on Plaintiffs' Counsel's Withdrawal of  
Certain Discovery Requests at Hearing, ECF No. 100, and related Motion to  
Expedite, ECF No. 101.

**ORDER DENYING DEFENDANT CXO'S MOTION TO MODIFY ~ 1**

1 Defendant asks the Court to modify its Order that was recently entered  
2 granting Plaintiffs' Motion to Compel. Contrary to Defendant's belief, the Court  
3 did not inadvertently include all of the requests in its Order on the Motion to  
4 Compel. Also, the Court did not interpret Plaintiffs' counsel's statements at the  
5 hearing as an unequivocal concession to any discovery request. Moreover, the  
6 Court denied, as moot, Plaintiffs' Motion to File First Amended Complaint. As  
7 such, discovery related to the currently named Defendants is appropriate.

8 As explained in its Order, the scope of discovery is broad, and Defendant  
9 has not argued the requests are disproportionate, or would cause undue hardship,  
10 burden or expense. Plaintiffs' requests meet the relevancy prong and as such,  
11 Defendant CXO has an obligation to produce the requested discovery.

12 Accordingly, **IT IS HEREBY ORDERED:**

13 1. Defendant CXO's Motion to Modify in Part Order on Motion to Compel  
14 Based on Plaintiffs' Counsel's Withdrawal of Certain Discovery Requests at  
15 Hearing, ECF No. 100, is **DENIED**.

16 2. Defendant CXO's Motion to Expedite, ECF No. 101, is **GRANTED**.

17 **IT IS SO ORDERED.** The District Court Clerk is hereby directed to enter  
18 this Order and to provide copies to counsel.

19 **DATED** this 26<sup>th</sup> day of March 2018.



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A handwritten signature in blue ink, reading "Stanley A. Bastian", is written over a horizontal line.

26 Stanley A. Bastian  
27 United States District Judge  
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